

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MARY ANN DAVIES,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

No. 3:15-CV-5306-EFS

NOTICE SETTING COURT'S
SCHEDULING CONFERENCE

DATE: 08/25/2015

TIME: 1:50 pm

CONFERENCE TYPE:

A telephonic Scheduling Conference will be held at the above-noted date and time. Counsel and pro se parties shall use the following information to access the call.

PHONE NUMBER: 1-888-363-4749

ACCESS CODE: 9068635

SECURITY CODE: 0150

The use of mobile phones is prohibited.

Rule 26(d)(1) prohibits a party from seeking discovery from any source before the parties have had their Rule 26(f) conference. This discovery prohibition enables the parties to gather Rule 26(a)(1) initial disclosures in advance of the Rule 26(f) conference so that initial disclosures can be exchanged either before or shortly after the Scheduling Conference.

In addition, to ensure that discovery and trial preparation advances efficiently, counsel and pro se parties shall discuss **each and every one** of the following subjects during the Rule 26(f) conference. Counsel and pro se parties must then file a combined report addressing each one of these subjects **not less than 14 days** before the Scheduling Conference:

- a. whether jurisdiction and venue exist and, if they do exist, the basis for each;
- b. whether service of process is complete and, if not, a deadline for completion;

- 1 c. a brief description of the claims and defenses;
- 2 d. whether a statute's constitutionality is being challenged,
3 see LR 24.1 (Fed. R. Civ. P. 5.1.);
- 4 e. whether the matter may be pursued as a class action, and if
5 so, 1) a suggested motion-for-class-certification-filing
6 deadline, and 2) what type of class action may be pursued,
7 see LR 23.1 (Fed. R. Civ. P. 23.);
- 8 f. any issues that should be certified to a state supreme
9 court;
- 10 g. suggested deadline for amending the pleadings;
- 11 h. suggested deadline for adding additional parties;
- 12 i. whether a non-government corporate party filed the
13 necessary ownership statement, see Fed. R. Civ. P. 7.1;
- 14 j. whether the case involves a minor or incompetent party and
15 whether the appointment of a guardian ad litem is
16 necessary, see LR 17.1;
- 17 k. discovery:
- 18 • suggested deadline for initial disclosures, see Fed.
19 R. Civ. Proc. 26(a)(1) if not already completed,
 - 20 • subjects on which discovery may be needed,
 - 21 • any issues about preserving discoverable information,
 - 22 • claims of privilege or protection,
 - 23 • proposed modifications to the standard discovery
24 procedures, including bifurcation and/or
25 consolidation of discovery,
 - 26 • suggested expert disclosure deadlines,
 - suggested discovery cut-off, and
 - any anticipated Fed. R. Evid 502 agreements relating
to inadvertent disclosures;
- 27 l. proposed protective orders/confidentiality agreements **which
shall be submitted as an attachment to the Rule 26(f)
report;**
- 28 m. anticipated motions and suggested dispositive motion filing
29 deadline;
- 30 n. trial:
- suggested trial date(s),
 - length of trial,
 - bifurcation, and

- the need for special audio/visual courtroom technology;
- o. the likelihood for settling or resolving the case and the point at which the parties can conduct meaningful dispute resolution, and
- p. any other matters that may be conducive to the just, efficient, and economical determination of the action.

Parties are expected to comply with the spirit of Rule 26 and seek to minimize the time and expense of discovery consistent with Rule 1's goals.

Only an attorney who will be trying the case may participate in the telephonic scheduling conference.

*Failure to 1) timely file the above-described combined report and/or 2) attend the Scheduling Conference will result in the imposition of **sanctions in the minimum amount of \$50.00**, absent good cause shown in writing and filed with the Court.*

Dated: July 14, 2015

WILLIAM M. McCOOL, DISTRICT COURT EXECUTIVE CLERK

s/Cora Vargas
Deputy Clerk

All Counsel